

32692

Customer Number

Patent
Case No.: 55970US008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: CERNOHOUS, JEFFREY J.
Application No.: To be assigned Group Art Unit:
Filed: February 23, 2004 Examiner:
Title: COMBINATORIAL LIBRARY COMPRISING POUCHES AS
PACKAGES FOR LIBRARY MEMBERS AND METHOD
THEREFOR

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Filing of Papers and Fees by Express Mailing

Pursuant to 37 § CFR 1.10, this application and the documents and fees listed on this transmittal letter are being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

EL 981526575 US

STATEMENT UNDER 37 CFR 3.73(b)

The undersigned states that 3M Innovative Properties Company, a corporation organized and existing under the laws of the State of Delaware, United States of America, is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest in the patent application/patent identified above. The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above, for which a copy thereof is attached.

The undersigned Practitioner of Record is authorized to act on behalf of the assignee.

February 23, 2004
Date

By: Jean A. Lown
Jean A. Lown, Reg. No.: 48,428
Telephone No.: (651) 733-3169

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO
And
CORRESPONDENCE ADDRESS INDICATION FORM**

I hereby appoint:

☒ Practitioners at Customer Number:



as attorney(s) or agents(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b)

Please recognize or change the correspondence address to the address of the Assignee at:

☒ The above-mentioned Customer Number

A copy of this form, together with a statement under 37 CFR 3.73(b) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Carolyn A. Bates		
Signature	<i>Carolyn A. Bates</i>	Date	<i>Feb. 3, 2004</i>
Title	Secretary, 3M Innovative Properties Company	Telephone	651-733-1523

ASSIGNMENT

Whereas we, the below named inventors, with residences and citizenships as indicated below; have made an invention in

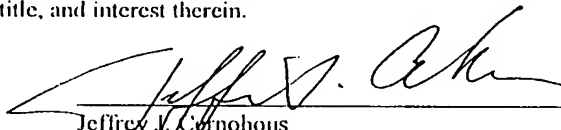
COMBINATORIAL LIBRARY COMPRISING POUCHES AS PACKAGES FOR LIBRARY MEMBERS AND METHOD THEREFOR

and have executed an application for Letters Patent of the United States of America based thereon; which application is identified in the United States Patent and Trademark Office as U.S. Application Serial No. 09/793,666, filed February 26, 2001;

Now, therefore, for good and valuable consideration, receipt of which is acknowledged, we have individually and jointly agreed to assign and transfer and do hereby assign and transfer unto the 3M INNOVATIVE PROPERTIES COMPANY, a wholly owned subsidiary of MINNESOTA MINING AND MANUFACTURING COMPANY, and a corporation of Delaware, having its principal office at Saint Paul, Minnesota, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any division or continuation (in whole or in part) of said application, and in and to any and all improvements in the said invention made by us or any of us or made jointly with others (provided any such improvement is made during, or within one year after the termination of, the employment by Minnesota Mining and Manufacturing Company and any of its existing or future subsidiaries of whichever of us, solely or jointly with one or more others, has made the same), and in and to any and all Letters Patent, reexaminations, reissues, or extensions thereof, of the United States of America and countries foreign thereto (including the right to apply for Letters Patent, Utility Models, or Inventors' Certificates in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), which have been or may be granted thereon or on any divisional, continuation (in whole or in part), renewal, reexamination, reissue, or other or further application based in whole or in part upon the said invention or improvements thereon, to be held and enjoyed as fully and exclusively as they would have been by us or any of us had this assignment and transfer not been made,

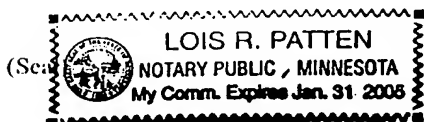
We do further agree for ourselves and for our heirs, executors, and administrators, to execute and deliver without further consideration any further applications, assignments, and documents, and to perform such other acts as we lawfully may, that may be deemed necessary by the said Company, its successors, assigns, and nominees, fully to secure its right, title, and interest as aforesaid and to obtain or maintain Letters Patent, Utility Models, or Inventors' Certificates in any and all countries;

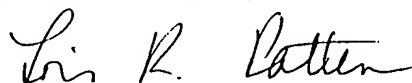
And we do hereby authorize and request the Commissioner of Patents to issue any and all Letters Patent which may be granted upon any of the said applications, to the said 3M Innovative Properties Company, as the assignee of the entire right, title, and interest therein.


 Jeffrey J. Cernohous
 Residence: Hudson, WI, U.S.A.
 Citizenship: U.S.A.

STATE OF MINNESOTA)
) ss.
 COUNTY OF RAMSEY)

On this 29th day of January, 2002, before me personally appeared the above-named Jeffrey J. Cernohous, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.





Notary Public

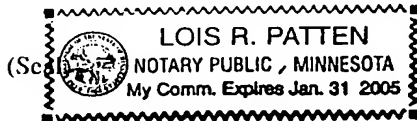
Jing Ma

Docket No. 55970US002

JingJing Ma
Residence: Woodbury, MN, U.S.A.
Citizenship: Peoples Republic of China

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On this 29th day of January, 2002, before me personally appeared the above-named JingJing Ma, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



L. R. Patten

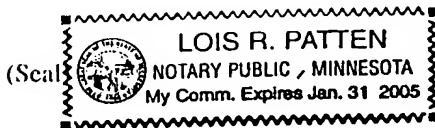
Notary Public

Michael P. Daniels

Michael P. Daniels
Residence: Inver Grove Heights, MN, U.S.A.
Citizenship: U.S.A.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On this 29th day of January, 2002, before me personally appeared the above-named Michael P. Daniels, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



L. R. Patten

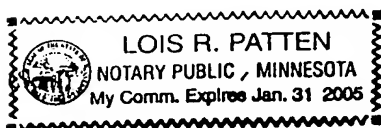
Notary Public

Stephen B. Roscoe

Stephen B. Roscoe
Residence: St. Paul, MN, U.S.A.
Citizenship: New Zealand

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On this 29th day of January, 2002, before me personally appeared the above-named Stephen B. Roscoe, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



L. R. Patten

Notary Public

Lester H. McIntosh III
 Lester H. McIntosh III
 Residence: Welch, MN, U.S.A.
 Citizenship: U.S.A.

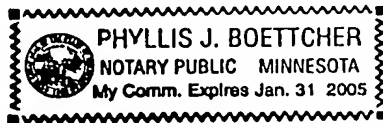
STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

On this 17th day of February, 2002, before me personally appeared the above-named Lester H. McIntosh III, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.

(Seal)



Phyllis J. Boettcher
 Notary Public

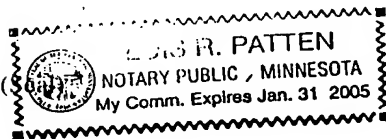
Steven D. Koecher
 Steven D. Koecher
 Residence: New Brighton, MN, U.S.A.
 Citizenship: U.S.A.

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

On this 24th day of January, 2002, before me personally appeared the above-named Steven D. Koecher, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



Lois R. Patten
 Notary Public

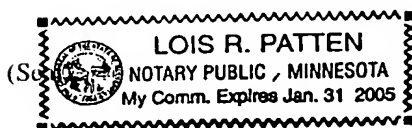
Brook F. Duerr
 Brook F. Duerr
 Residence: Lake Elmo, MN, U.S.A.
 Citizenship: U.S.A.

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

On this 24th day of January, 2002, before me personally appeared the above-named Brook F. Duerr, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



Lois R. Patten
 Notary Public

William H. Sikorski, Jr.

Docket No. 55970US002

William H. Sikorski, Jr.

Residence: White Bear Lake, MN, U.S.A.

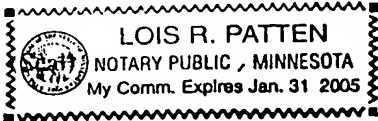
Citizenship: U.S.A.

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

On this 29th day of January, 2002, before me personally appeared the above-named William H. Sikorski, Jr., personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



Lois R. Patten

Notary Public

Timothy D. Filiatrault

Timothy D. Filiatrault

Residence: Maplewood, MN, U.S.A.

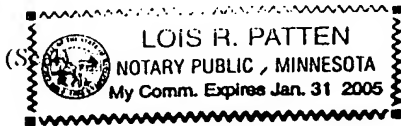
Citizenship: U.S.A.

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

On this 29th day of January, 2002, before me personally appeared the above-named Timothy D. Filiatrault, personally known by me, and known by me to be the person described in and who executed the foregoing instrument, and who acknowledged that said person executed the same as said person's free act and deed, on the day and year aforesaid.



Lois R. Patten

Notary Public

DECLARATION, POWER OF ATTORNEY, AND PETITION

I, a below named inventor, depose and say that: (1) my residence, citizenship, and mailing address are indicated below; (2) I have reviewed and understand the contents of my patent application, including the claims, as amended by any amendment specifically referred to herein, which is identified as U.S. Patent Application Serial No. 09/793,666, filed February 26, 2001; (3) I believe that the other below named inventors and I are the original, first, and joint inventors of the invention or discovery in

COMBINATORIAL LIBRARY COMPRISING POUCHES AS PACKAGES FOR LIBRARY MEMBERS AND METHOD THEREFOR

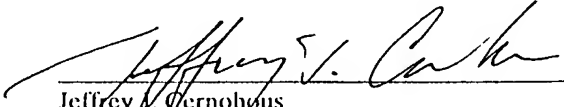
described and claimed therein and for which a patent is sought; and (4) I hereby acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56.*

I hereby appoint Gregory D. Allen (Reg. No. 35,048), Alan Ball (Reg. No. 42,286), Scott A. Bardell (Reg. No. 39,594), Carolyn A. Bates (Reg. No. 27,853), Bruce E. Black (Reg. No. 41,622), Colene E. H. Blank (Reg. No. 41,056), Jennie G. Boeder (Reg. No. 28,952), William J. Bond (Reg. No. 32,400), Arthur J. Brady (Reg. No. 42,356), Stephen W. Buckingham (Reg. No. 30,035), John A. Burtis (Reg. No. 39,924), Melissa E. Buss (Reg. No. 47,465), Gerald F. Chernivec (Reg. No. 26,537), James D. Christoff (Reg. No. 31,492), Philip Y. Dahl (Reg. No. 36,115), Janice L. Dowdall (Reg. No. 31,201), Lisa M. Fagan (Reg. No. 40,601), Carolyn A. Fischer (Reg. No. 39,091), Yen T. Florezak (Reg. No. 45,163), Darla P. Fonseca (Reg. No. 31,783), Melanie G. Gover (Reg. No. 41,793), Christopher D. Gram, (Reg. No. 43,643), Gary L. Griswold (Reg. No. 25,396), Doreen S. L. Gwin (Reg. No. 35,580), Michael A. Hakamaki (Reg. No. 40,011), Karl G. Hanson (Reg. No. 32,900), Dean M. Harts (Reg. No. 47,634), Néstor F. Ho (Reg. No. 39,460), Rudolph P. Hofmann, Jr. (Reg. No. 38,187), Robert W. Hoke (Reg. No. 29,226), MarySusan Howard (Reg. No. 38,729), Stephen C. Jensen (Reg. No. 35,207), Robert H. Jordan (Reg. No. 31,973), Harold C. Knecht III (Reg. No. 35,576), Kent S. Kokko (Reg. No. 33,931), Andrew J. Leon (Reg. No. 46,869), Douglas B. Little (Reg. No. 28,439), Eloise J. Maki (Reg. No. 33,418), Michelle M. Michel (Reg. No. 33,968), William D. Miller (Reg. No. 37,988), Peter L. Olson (Reg. No. 35,308), Daniel R. Pastirik (Reg. No. 33,025), David B. Patchett (Reg. No. 39,326), Robert J. Pechinan (Reg. No. 45,002), Carolyn V. Peters (Reg. No. 33,271), Scott R. Pribnow (Reg. No. 43,869), Ted K. Ringsred (Reg. No. 35,658), Steven E. Skolnick (Reg. No. 33,789), Robert W. Sprague (Reg. No. 30,497), Brian E. Szymanski (Reg. No. 39,523), James J. Trussell (Reg. No. 37,251), Lucy C. Weiss (Reg. No. 32,834), Bradford B. Wright (Reg. No. 34,459), and Kimberly S. Zillig (Reg. No. 46,346) my attorneys and/or agents with full powers (including the powers of appointment, substitution, and revocation) to prosecute this application and any division, continuation, continuation-in-part, reexamination, or reissue thereof, and to transact all business in the Patent and Trademark Office connected therewith; the mailing address and the telephone number of the above-mentioned attorneys and/or agents are

Attention: Melanie Gover
Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Telephone No. 651/736-6432

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, I pray for grant of Letters Patent for the invention or discovery described and claimed in the aforementioned specification and we hereby subscribe our names to the foregoing specification and claims, declaration, power of attorney, and this petition, on the day set forth below.


Jeffrey S. Chernohous

1-29-02
Date

Residence: Hudson, WI, U.S.A.

Citizenship: U.S.A.

Post Office: P.O. Box 33427

Address: St. Paul, Minnesota 55133-3427

 1-29-02

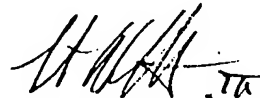
JingJing Ma Date
Residence: Woodbury, MN, U.S.A.
Citizenship: Peoples Republic of China
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

 1/29/02


Michael P. Daniels Date
Residence: Inver Grove Heights, MN, U.S.A.
Citizenship: U.S.A.
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

 1/29/02

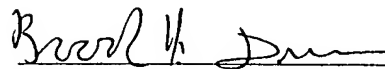
Stephen B. Roscoe Date
Residence: St. Paul, MN, U.S.A.
Citizenship: New Zealand
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

 2/07/02

Lester H. McIntosh III Date
Residence: Welch, MN, U.S.A.
Citizenship: U.S.A.
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

 1-29-02

Steven D. Koecher Date
Residence: New Brighton, MN, U.S.A.
Citizenship: U.S.A.
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

 1/29/02

Brook F. Duerr Date
Residence: Lake Elmo, MN, U.S.A.
Citizenship: U.S.A.
Post Office P.O. Box 33427
Address: St. Paul, Minnesota 55133-3427

 1/29/02
Date

William H. Sikorski, Jr.

Residence: White Bear Lake, MN, U.S.A.

Citizenship: U.S.A.

Post Office P.O. Box 33427

Address: St. Paul, Minnesota 55133-3427

 1-29-02
Date

Timothy D. Filiatrault

Residence: Maplewood, MN, U.S.A.

Citizenship: U.S.A.

Post Office P.O. Box 33427

Address: St. Paul, Minnesota 55133-3427

§1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.